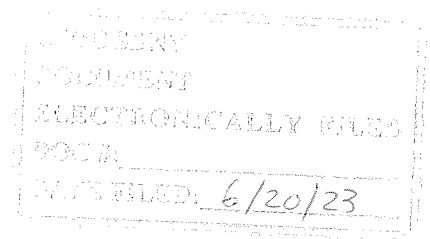


UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK-----X
JERARD WALKER,
Plaintiff,

v.

MICHAEL CAPRA, et al.,
Defendants.
-----X**ORDER**

22 CV 7638 (VB)



On May 30, 2023, defendants moved to dismiss the amended complaint pursuant to Rule 12(b)(6) of the Federal Rules of Civil Procedure. (Doc. #32). Defendants served a copy of the motion and all supporting papers on plaintiff, who is proceeding pro se, via regular mail. (See Doc. #34).

Plaintiff's deadline to oppose the motion was June 13, 2023. See Local Civil Rule 6.1(b). To date, plaintiff has not filed any opposition.

Accordingly, it is HEREBY ORDERED:

1. The Court sua sponte extends plaintiff's time to oppose defendant's motion to dismiss to July 20, 2023. Defendants' reply, if any, is due July 31, 2023.
2. **If plaintiff fails to respond to the motion by July 20, 2023, the motion will be deemed fully submitted and unopposed.**

The Court certifies pursuant to 28 U.S.C. § 1915(a)(3) that any appeal from this Order would not be taken in good faith, and therefore in forma pauperis status is denied for the purposes of an appeal. Cf. Coppedge v. United States, 369 U.S. 438, 444-45 (1962).

Chambers will mail a copy of this Order to plaintiff at the address on the docket.

Dated: June 20, 2023
White Plains, NY

SO ORDERED:

Vincent L. Briccetti
United States District Judge

Copies Mailed/Faxed
Chambers of Vincent L. Briccetti

6/20/23 LCF